

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 17-34456
Christinia Van An Judge: MBK

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 09/03/2020
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☐ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/WHO Initial Debtor: /s/CA Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 845.00 per month to the Chapter 13 Trustee, starting on October 1, 2020 for approximately 27 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property:

Description: 300 Church Road, Brick, NJ 08723

Proposed date for completion: March 31, 2021

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☐ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ Chase Mortgage - to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \$1,400.00 (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☐ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Chase Mortgage - 1st Mortgage	300 Church Road, Brick, NJ 08723	Unknown	0%	Arrears not to be paid pending loan modification	

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Ameriprise	Residence	\$77,844.60	\$260,130.00	\$293,886.90	\$0.00	0	\$0

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☐ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan
Ally Financial	2013 Lexus GX460	\$28,627.17

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☒ Not less than \$ 0 to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
Ameriprise	Residence	\$77,844.60	\$260,130.00	\$293,886.90	\$0.00	\$77,944.60

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Other Administrative Claims - William H. Oliver
- 3) Secured Claim
- 4) Priority Claims; 5) General unsecured claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 12/19/2017.

Explain below **why** the plan is being modified:

changing language: "arrearage not to be paid pending loan modification"
extending length of bankruptcy

Explain below **how** the plan is being modified:

part 1a: extending length of bankruptcy
part 4a: changing language to arrearage not to be paid pending loan
modification

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 09/03/2020 _____

/s/ Christina V. An
Debtor

Date: _____

Joint Debtor

Date: 09/03/2020 _____

/s/William H. Oliver, Jr.
Attorney for Debtor(s)

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Christina Van An
DebtorCase No. 17-34456-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 31

Date Rcvd: Sep 04, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 06, 2020.

db +Christina Van An, 300 Church Road, Brick, NJ 08723-6402
 lm +Chase, Mail Code: OH4-7302, P.O. box 2469, Columbus, OH 43216-2469
 cr +SELENE FINANCE LP AS SERVICER FOR WILMINGTON SAVIN, Phelan Hallinan&Schmieg, PC,
 1617 JFK Boulevard, Suite 1400, Philadelphia, PA 19103-1814
 lm Selene Finance LP, servicer for Christiana Trust,, 9990 Richmond Avenue, Suite 400,
 Houston, TX 77042-4546
 cr +WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRIST, PHELAN HALLINAN DIAMOND & JONES, PC,
 1617 JFK Boulevard, Suite 1400, Philadelphia, PA 19103-1814
 cr +Wilmington Savings Fund Society, FSB, Robertson Anschutz & Schneid, P.L.,
 6409 Congress Ave., Suite 100, Boca Raton,, FL 33487, UNITED STATES 33487-2853
 cr +Wilmington Savings Fund Society, FSB, d/b/a Christ, RAS Crane LLC,
 10700 Abbotts Bridge Road, Suite 170, Duluth, GA 30097-8461
 517235733 Ameriprise Financial, P.O. Box 44092, Jacksonville, FL 32231-4092
 517212477 +Barclays Bank Delaware, 100 S West St, Wilmington, DE 19801-5015
 517212479 +Chase Home Finance LLC, c/o Phelan Hallinan and Schmieg, P.C.,
 400 Fellowship Road, Suite 100, Mount Laurel, NJ 08054-3437
 517212481 +Commonwealth Financial Systems, 245 Main St, Dickson City, PA 18519-1641
 517235734 +Jeffrey M. Savitt, DC, 1541 State Hwy. #88 West, Brick, NJ 08724-2373
 517880037 +Lakewood Anesthesia Associates, LLC, PO Box 302, Little Silver, NJ 07739-0302
 517235735 +Lakewood Surgery Center L.L.C., 1215 Route 70, Suite 2000, Lakewood, NJ 08701-6958
 517235736 +North Dover Open MRI, 1275 Route 35 North, Middletown, NJ 07748-2040
 517235738 +Shore Orthopaedic Group, 35 Gilbert Street S., Tinton Falls, NJ 07701-4954
 517212483 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Lexus Financial Services, Asset Protection Dept., PO Box 2958,
 Torrance, CA 90509)
 517242552 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 517661401 +Wilmington Savings Fund Society, RAS Crane LLC, 10700 Abbotts Bridge Road, Suite 170,
 Duluth, GA 30097-8461
 517260326 +Wilmington Savings Fund Society, C/O Robertson, Anschutz & Schneid P.L., 6409 Congress Ave,
 Suite 100, Boca Raton FL 33487-2853

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Sep 04 2020 23:52:55 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Sep 04 2020 23:52:52 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235517212476 E-mail/Text: paymentprocessing@avanteusa.com Sep 04 2020 23:51:42 Avante,
3600 South Gessner, Ste 225, Houston, TX 77063517212478 +E-mail/PDF: MerrickBKNotifications@Resurgent.com Sep 04 2020 23:57:29 Cardworks/CW Nexus,
Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001517212480 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Sep 04 2020 23:52:38 Comenity Bank/Bon Ton,
Attn: Bankruptcy, Po Box 18215, Columbus, OH 43218517328436 E-mail/PDF: MerrickBKNotifications@Resurgent.com Sep 04 2020 23:56:56 MERRICK BANK,
Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368517212484 +E-mail/PDF: MerrickBKNotifications@Resurgent.com Sep 04 2020 23:56:32 Merrick Bank,
P. O. Box 9201, Old Bethpage, NY 11804-9001517235737 +E-mail/Text: OMChankruptcy@hackensackmeridian.org Sep 04 2020 23:53:26 Ocean Medical Center,
425 Jack Martin Blvd., Brick, NJ 08724-7732517322805 E-mail/Text: bnc-quantum@quantum3group.com Sep 04 2020 23:52:45
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788517212485 +E-mail/PDF: gecsedirecoverycorp.com Sep 04 2020 23:56:55 Synchrony Bank/TJX,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060517290143 +E-mail/Text: bkteam@selenefinance.com Sep 04 2020 23:52:18
Wilmington Savings Fund Society, FSB, d/b/a Christ, C/O Selene Finance LP,
9990 Richmond Ave Ste 400 South, Houston, TX 77042-4546

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517212482* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
(address filed with court: Lexus Financial Services, Bankruptcy Notice, PO Box 8026,
Cedar Rapids, IA 52409)517212486* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
(address filed with court: Toyota Motor Credit Co, Toyota Financial Services, Po Box 8026,
Cedar Rapids, IA 52408)

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 31

Date Rcvd: Sep 04, 2020

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 06, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 3, 2020 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Christopher Keith Baxter on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust
MLGBK@ecf.courtdrive.com
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Emmanuel J. Argentieri on behalf of Creditor US Bank, NA as Legal Title Trustee for Truman 2016 SC6 Title Trust bk@rgalegal.com
Harold N. Kaplan on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust hkaplan@rasnj.com, informationathnk@aol.com
Laura M. Egerman on behalf of Creditor Wilmington Savings Fund Society, FSB
bkyecf@rasflaw.com, bkyecf@rasflaw.com; legerman@rasnj.com
Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation
rsolarz@kmlawgroup.com
Robert Davidow on behalf of Creditor SELENE FINANCE LP AS SERVICER FOR WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST nj.bkecf@fedphe.com
Robert Davidow on behalf of Creditor WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST nj.bkecf@fedphe.com
Sindi Mncina on behalf of Creditor Wilmington Savings Fund Society, FSB smncina@rascrane.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William H. Oliver, Jr. on behalf of Debtor Christina Van An court docs@oliverandlegg.com, R59915@notify.bestcase.com

TOTAL: 13